

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**CLARENCE EARL BIVINS**

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**) CASE NO.: 2:07-cr-28-MEF**

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**UNOPPOSED MOTION TO CONTINUE**

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**COMES NOW** the Defendant, Clarence Earl Bivins, by and through counsel of record, and moves for a continuance of his case from the trial term beginning July 9, 2007, upon the following grounds:

1. The Defendant has filed objections to the *Report and Recommendations* of the Magistrate Judge, and they are pending at this time.
2. The Defendant seeks a ruling on his objections prior to committing for a trial or plea. Because of the short time between the filing of the objections and the trial term, Defendant understands it may not be reasonable to expect a ruling prior to the July 9<sup>th</sup> trial term.
3. The Defendant has executed a waiver of his speedy trial rights, and the undersigned is prepared to file the original, should it be required.
4. The undersigned has contacted counsel for the Government and has ascertained that this motion is not opposed.

**RESPECTFULLY SUBMITTED** this 2<sup>nd</sup> day of July 2007.

**s/ William R. Blanchard (BLA029)**

Attorney for the Defendant

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**CERTIFICATE OF SERVICE**

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I hereby certify that on July 2, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: **AUSA Tommie Hardwick**, and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants: n/a.

Respectfully submitted,

**s/ William R. Blanchard (BLA029)**  
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